

By: Hegar

S.B. No. 1906

A BILL TO BE ENTITLED

AN ACT

relating to the creation of Fort Bend County Municipal Management District No. 1; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 3927 to read as follows:

CHAPTER 3927. FORT BEND COUNTY MUNICIPAL MANAGEMENT DISTRICT

NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3927.001. DEFINITIONS. In this chapter:

(1) "Board" means the district's board of directors.

(2) "City" means the City of Houston.

(3) "County" means Fort Bend County.

(4) "Director" means a board member.

(5) "District" means the Fort Bend County Municipal Management District No. 1.

Sec. 3927.002. NATURE OF DISTRICT. The Fort Bend County Municipal Management District No. 1 is a special district created under Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution.

Sec. 3927.003. PURPOSE; DECLARATION OF INTENT. (a) The creation of the district is essential to accomplish the purposes of

1 Sections 52 and 52-a, Article III, and Section 59, Article XVI,  
2 Texas Constitution, and other public purposes stated in this  
3 chapter.

4 (b) The creation of the district is necessary to promote,  
5 develop, encourage, and maintain employment, commerce,  
6 transportation, housing, tourism, recreation, the arts,  
7 entertainment, economic development, safety, and the public  
8 welfare in the district.

9 (c) This chapter and the creation of the district may not be  
10 interpreted to relieve the city or the county from providing the  
11 level of services provided as of the effective date of the Act  
12 enacting this chapter to the area in the district. The district is  
13 created to supplement and not to supplant city or county services  
14 provided in the district.

15 Sec. 3927.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

16 (a) The district is created to serve a public use and benefit.

17 (b) All land and other property included in the district  
18 will benefit from the improvements and services to be provided by  
19 the district under powers conferred by Sections 52 and 52-a,  
20 Article III, and Section 59, Article XVI, Texas Constitution, and  
21 other powers granted under this chapter.

22 (c) The district is created to accomplish the purposes of a  
23 municipal management district as provided by general law and  
24 Sections 52 and 52-a, Article III, and Section 59, Article XVI,  
25 Texas Constitution.

26 (d) The creation of the district is in the public interest  
27 and is essential to further the public purposes of:

1           (1) developing and diversifying the economy of the  
2 state;

3           (2) eliminating unemployment and underemployment; and

4           (3) developing or expanding transportation and  
5 commerce.

6           (e) The district will:

7           (1) promote the health, safety, and general welfare of  
8 residents, employers, potential employees, employees, visitors,  
9 and consumers in the district, and of the public;

10           (2) provide needed funding for the district to  
11 preserve, maintain, and enhance the economic health and vitality of  
12 the district territory as a community and business center; and

13           (3) promote the health, safety, welfare, and enjoyment  
14 of the public by providing pedestrian ways and by landscaping and  
15 developing certain areas in the district, which are necessary for  
16 the restoration, preservation, and enhancement of scenic beauty.

17           (f) Pedestrian ways along or across a street, whether at  
18 grade or above or below the surface, and street lighting, street  
19 landscaping, parking, and street art objects are parts of and  
20 necessary components of a street and are considered to be a street  
21 or road improvement.

22           (g) The district will not act as the agent or  
23 instrumentality of any private interest even though the district  
24 will benefit many private interests as well as the public.

25           Sec. 3927.005. INITIAL DISTRICT TERRITORY. (a) The  
26 district is initially composed of the territory described by  
27 Section 2 of the Act enacting this chapter.

1       (b) The boundaries and field notes contained in Section 2 of  
2 the Act enacting this chapter form a closure. A mistake in the  
3 field notes or in copying the field notes in the legislative process  
4 does not affect the district's:

5               (1) organization, existence, or validity;

6               (2) right to issue any type of bonds for the purposes  
7 for which the district is created or to pay the principal of and  
8 interest on bonds;

9               (3) right to impose or collect an assessment or tax; or

10              (4) legality or operation.

11       Sec. 3927.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

12 (a) All or any part of the area of the district is eligible to be  
13 included in:

14              (1) a tax increment reinvestment zone created under  
15 Chapter 311, Tax Code;

16              (2) a tax abatement reinvestment zone created under  
17 Chapter 312, Tax Code;

18              (3) an enterprise zone created under Chapter 2303,  
19 Government Code; or

20              (4) an industrial district created under Chapter 42,  
21 Local Government Code.

22       (b) If the city creates a tax increment reinvestment zone  
23 described by Subsection (a), the city and the board of directors of  
24 the zone, by contract with the district, may grant money deposited  
25 in the tax increment fund to the district to be used by the district  
26 for the purposes permitted for money granted to a corporation under  
27 Section 380.002(b), Local Government Code, including the right to

1 pledge the money as security for any bonds issued by the district  
2 for an improvement project.

3 Sec. 3927.007. CONSTRUCTION OF CHAPTER. This chapter shall  
4 be liberally construed in conformity with the findings and purposes  
5 stated in this chapter.

6 SUBCHAPTER B. BOARD OF DIRECTORS

7 Sec. 3927.051. GOVERNING BODY; TERMS. The district is  
8 governed by a board of five elected directors who serve staggered  
9 terms of four years, with two or three directors' terms expiring  
10 each even-numbered year.

11 Sec. 3927.052. ELECTION DATE. The board shall hold an  
12 election for directors on the uniform election date in May in  
13 even-numbered years.

14 Sec. 3927.053. ELIGIBILITY. To be qualified to serve as a  
15 director, a person must meet the qualifications prescribed by  
16 Section 375.063, Local Government Code.

17 Sec. 3927.054. INITIAL VOTING DIRECTORS. (a) On or after  
18 the effective date of the Act enacting this chapter, the owner or  
19 owners of a majority of the assessed value of the real property in  
20 the district according to the most recent certified tax appraisal  
21 roll for the county may submit a petition to the Texas Commission on  
22 Environmental Quality requesting that the commission appoint as  
23 initial voting directors the five persons named in the petition.  
24 The commission shall appoint the five persons named in the petition  
25 as initial directors by position.

26 (b) The initial directors appointed under Subsection (a)  
27 shall draw lots to determine which two directors shall serve until

1 the first regularly scheduled election under Section 3927.052 and  
2 which three directors shall serve until the second regularly  
3 scheduled election under Section 3927.052.

4 (c) Section 3927.051 does not apply to this section.

5 (d) This section expires September 1, 2017.

6 SUBCHAPTER C. POWERS AND DUTIES

7 Sec. 3927.101. GENERAL POWERS AND DUTIES. The district has  
8 the powers and duties necessary to accomplish the purposes for  
9 which the district is created.

10 Sec. 3927.102. MUNICIPAL MANAGEMENT DISTRICT POWERS AND  
11 DUTIES. The district has the powers and duties provided by the  
12 general law of this state, including Chapter 375, Local Government  
13 Code, applicable to municipal management districts created under  
14 Sections 52 and 52-a, Article III, and Section 59, Article XVI,  
15 Texas Constitution.

16 Sec. 3927.103. IMPROVEMENT PROJECTS AND SERVICES. The  
17 district may provide, design, construct, acquire, improve,  
18 relocate, operate, maintain, or finance an improvement project or  
19 service using any money available to the district, or contract with  
20 a governmental or private entity to provide, design, construct,  
21 acquire, improve, relocate, operate, maintain, or finance an  
22 improvement project or service authorized under this chapter or  
23 Chapter 375, Local Government Code.

24 Sec. 3927.104. UTILITY AND RECREATIONAL FACILITIES AND  
25 SERVICES AND ROADS PROHIBITED WITHOUT AGREEMENT. The district may  
26 not provide water, wastewater, or recreational facilities or  
27 services or roads to any land within both the district and a

1 municipal utility district unless the district and the municipal  
2 utility district enter into a written agreement specifying the  
3 facilities and services to be provided by the district.

4 Sec. 3927.105. AGREEMENTS; GRANTS. (a) As provided by  
5 Chapter 375, Local Government Code, the district may make an  
6 agreement with or accept a gift, grant, or loan from any person.

7 (b) The implementation of a project is a governmental  
8 function or service for the purposes of Chapter 791, Government  
9 Code.

10 Sec. 3927.106. ECONOMIC DEVELOPMENT. (a) The district may  
11 engage in activities that accomplish the economic development  
12 purposes of the district.

13 (b) The district may establish and provide for the  
14 administration of one or more programs to promote state or local  
15 economic development and to stimulate business and commercial  
16 activity in the district, including programs to:

17 (1) make loans and grants of public money; and

18 (2) provide district personnel and services.

19 (c) The district may create economic development programs  
20 and exercise the economic development powers provided to  
21 municipalities by:

22 (1) Chapter 380, Local Government Code; and

23 (2) Subchapter A, Chapter 1509, Government Code.

24 Sec. 3927.107. LIMITED EMINENT DOMAIN. The district may  
25 exercise the power of eminent domain only for the purposes, only to  
26 the extent, and subject to the limitations the general law provides  
27 for a municipal utility district under Chapter 49, Water Code.

1        SUBCHAPTER D.    GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

2        Sec. 3927.151.    DISBURSEMENTS AND TRANSFERS OF MONEY.    The  
3 board by resolution shall establish the number of directors'  
4 signatures and the procedure required for a disbursement or  
5 transfer of district money.

6        Sec. 3927.152.    MONEY USED FOR IMPROVEMENTS OR SERVICES.  
7 The district may acquire, construct, finance, operate, or maintain  
8 any improvement or service authorized under this chapter or Chapter  
9 375, Local Government Code, using any money available to the  
10 district.

11       Sec. 3927.153.    PETITION REQUIRED FOR FINANCING SERVICES AND  
12 IMPROVEMENTS WITH ASSESSMENTS.    (a)    The board may not finance a  
13 service or improvement project with assessments under this chapter  
14 unless a written petition requesting that service or improvement  
15 has been filed with the board.

16       (b)    A petition filed under Subsection (a) must be signed by  
17 the owners of a majority of the assessed value of real property in  
18 the district subject to assessment according to the most recent  
19 certified tax appraisal roll for the county.

20       Sec. 3927.154.    METHOD OF NOTICE OF HEARING.    The district  
21 may mail the notice required by Section 375.115(c), Local  
22 Government Code, by certified or first class United States mail.  
23 The board shall determine the method of mailing notice.

24       Sec. 3927.155.    ASSESSMENTS;    LIENS    FOR    ASSESSMENTS.  
25 (a)    The board by resolution may impose and collect an assessment  
26 for any purpose authorized by this chapter in all or any part of the  
27 district.



1        (b) An assessment, a reassessment, or an assessment  
2 resulting from an addition to or correction of the assessment roll  
3 by the district, penalties and interest on an assessment or  
4 reassessment, an expense of collection, and reasonable attorney's  
5 fees incurred by the district:

6            (1) are a first and prior lien against the property  
7 assessed;

8            (2) are superior to any other lien or claim other than  
9 a lien or claim for county, school district, or municipal ad valorem  
10 taxes; and

11           (3) are the personal liability of and a charge against  
12 the owners of the property even if the owners are not named in the  
13 assessment proceedings.

14        (c) The lien is effective from the date of the board's  
15 resolution imposing the assessment until the date the assessment is  
16 paid. The board may enforce the lien in the same manner that the  
17 board may enforce an ad valorem tax lien against real property.

18        (d) The board may make a correction to or deletion from the  
19 assessment roll that does not increase the amount of assessment of  
20 any parcel of land without providing notice and holding a hearing in  
21 the manner required for additional assessments.

22        Sec. 3927.156. RESIDENTIAL PROPERTY NOT EXEMPT. Section  
23 375.161, Local Government Code, does not apply to the district.

24                    SUBCHAPTER E. TAXES AND BONDS

25        Sec. 3927.201. ELECTIONS REGARDING TAXES AND BONDS.

26        (a) The district may issue, without an election, bonds, notes, and  
27 other obligations secured by:

1           (1) revenue other than ad valorem taxes; or

2           (2) contract payments described by Section 3927.203.

3           (b) The district must hold an election in the manner  
4 provided by Subchapter L, Chapter 375, Local Government Code, to  
5 obtain voter approval before the district may impose an ad valorem  
6 tax or issue bonds payable from ad valorem taxes.

7           (c) Section 375.243, Local Government Code, does not apply  
8 to the district.

9           (d) The district may not issue bonds payable from ad valorem  
10 taxes to finance a road project unless the issuance is approved by a  
11 vote of a two-thirds majority of the district voters voting at an  
12 election held for that purpose.

13           Sec. 3927.202. OPERATION AND MAINTENANCE TAX. (a) If  
14 authorized by a majority of the district voters voting at an  
15 election held in accordance with Section 3927.201, the district may  
16 impose an operation and maintenance tax on taxable property in the  
17 district in accordance with Section 49.107, Water Code, for  
18 operation and maintenance purposes, including to:

19                   (1) maintain and operate the district;

20                   (2) construct or acquire improvements; or

21                   (3) provide a service.

22           (b) The board shall determine the tax rate. The rate may not  
23 exceed the rate approved at the election.

24           Sec. 3927.203. CONTRACT TAXES. (a) In accordance with  
25 Section 49.108, Water Code, the district may impose a tax other than  
26 an operation and maintenance tax and use the revenue derived from  
27 the tax to make payments under a contract after the provisions of

1 the contract have been approved by a majority of the district voters  
2 voting at an election held for that purpose.

3 (b) A contract approved by the district voters may contain a  
4 provision stating that the contract may be modified or amended by  
5 the board without further voter approval.

6 Sec. 3927.204. AUTHORITY TO BORROW MONEY AND TO ISSUE BONDS  
7 AND OTHER OBLIGATIONS. (a) The district may borrow money on terms  
8 determined by the board.

9 (b) The district may issue bonds, notes, or other  
10 obligations payable wholly or partly from ad valorem taxes,  
11 assessments, impact fees, revenue, contract payments, grants, or  
12 other district money, or any combination of those sources of money,  
13 to pay for any authorized district purpose.

14 Sec. 3927.205. TAXES FOR BONDS. At the time the district  
15 issues bonds payable wholly or partly from ad valorem taxes, the  
16 board shall provide for the annual imposition of a continuing  
17 direct annual ad valorem tax, without limit as to rate or amount,  
18 for each year that all or part of the bonds are outstanding as  
19 required and in the manner provided by Sections 54.601 and 54.602,  
20 Water Code.

21 Sec. 3927.206. BONDS FOR ROAD PROJECTS. At the time of  
22 issuance, the total principal amount of bonds or other obligations  
23 issued or incurred to finance road projects and payable from ad  
24 valorem taxes may not exceed one-fourth of the assessed value of the  
25 real property in the district.

26 SECTION 2. The Fort Bend County Municipal Management  
27 District No. 1 initially includes all territory contained in the

1 following area:

2 TRACT I: 168.478 ACRES

3 Being a tract containing 168.478 acres of land located in the Jane  
4 Wilkins One League Grant, Abstract No. 96, Fort Bend County, Texas.  
5 Said 168.478 acres being that certain call 101.79 acre (Tract Two)  
6 tract of land recorded in the name of the State of Texas, for the use  
7 and benefit of the Permanent School Fund, under Fort Bend County  
8 Clerk's File (F.B.C.C.F.) No. 2004060103 and amended under  
9 2004075320, and that certain call 66.691 acre (Part Two) tract of  
10 land recorded in the name of the State of Texas, for the use and  
11 benefit of the Permanent School Fund, under F.B.C.C.F. No.  
12 2003023371 and corrected under 2008070584. Said 168.478 acres of  
13 land being more particularly described by metes and bounds as  
14 follows (Bearings are referenced to the aforementioned 101.79  
15 acres):

16 BEGINNING at the Northeast corner of said 101.79 acres, same being a  
17 point at the South line of said 66.691 acres, and said point being  
18 at the Westerly line of a call 97.179 acre (Parcel 9) tract of land  
19 for controlled access highway facility (Grand Parkway) recorded in  
20 the name of Texas Transportation Commission under F.B.C.C.F. No.  
21 9203043;

22 THENCE, with said Westerly line, South 20 degrees 38 minutes 03  
23 seconds East, a distance of 2201.52 feet to the Southeast corner of  
24 said 101.79 acres;

25 THENCE, departing said Westerly line and with the South line of said  
26 101.79 acres, South 88 degrees 18 minutes 31 seconds West, a  
27 distance of 2,386.45 feet to the Southwest corner of said 101.79

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1 acres, and said point being at the East line of a call 32.7 acre  
2 tract of land (Harlem Road, based on a width of 60 feet), recorded  
3 in the name of County of Fort Bend, Texas, in Volume 63, Page 203, of  
4 the Deed Records of Fort Bend County, Texas (F.B.C.D.R.);

5 THENCE, with the East right-of-way line of said Harlem Road, North  
6 00 degrees 00 minutes 38 seconds East, a distance of 2,412.99 feet  
7 to the Northwest corner of said 101.79 acres;

8 THENCE, with the North line of said 101.79 acres, North 89 degrees  
9 33 minutes 29 seconds East, a distance of 51.70 feet to the  
10 Southwest corner of said 66.691 acres, and said point being at the  
11 call East line of Harlem Road, based on a width of 71.5 feet;

12 THENCE, with the West line of said 66.691 acres (Part Two) and the  
13 East line of said Harlem Road (71.5 feet width), North 00 degrees 23  
14 minutes 59 seconds West, a distance of 3,160.51 feet;

15 THENCE, with the North line of said 66.691 acres, North 68 degrees  
16 10 minutes 15 seconds East, a distance of 80.54 feet to the  
17 Southwesterly right-of-way line of the Grand Parkway;

18 THENCE, with said Southwesterly right-of-way line, the following  
19 three (3) courses:

20 1. 996.68 feet, with the arc of a non-tangent curve to the  
21 right having a radius of 2,664.79 feet and a central angle of 21  
22 degrees 25 minutes 47 seconds, the chord of which curve bears South  
23 31 degrees 19 minutes 27 seconds East, a distance of 990.88 feet;

24 2. South 20 degrees 44 minutes 11 seconds East, a distance  
25 of 2,809.53 feet to the Southeast corner of said 66.691 acres (Part  
26 Two);

27 3. North 79 degrees 42 minutes 34 seconds West, a distance

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1 of 5.26 feet to the POINT OF BEGINNING and containing 168.478 acres  
2 of land, more or less.

3 TRACT II: 883.195

4 Being a tract containing 883.195 acres of land located in the  
5 William Morton One and One-Half League Grant, Abstract No. 62, Fort  
6 Bend County, Texas. Said 883.195 acres being that certain call  
7 723.13 acre (Tract One) tract of land recorded in the name of the  
8 State of Texas, for the use and benefit of the Permanent School  
9 Fund, under Fort Bend County Clerk's File (F.B.C.C.F.) No.  
10 2004060103 and amended under 2004075320, LESS AND EXCEPT Fort Bend  
11 I.S.D. Middle School No. 14, a subdivision of 39.675 acres of land,  
12 according to the map or plat thereof recorded in Plat Number  
13 20100028 of the Plat Records of Fort Bend County, Texas  
14 (F.B.C.P.R.); and that certain call 274.505 acre (Part Three) tract  
15 of land recorded in the name of the State of Texas, for the use and  
16 benefit of the Permanent School Fund, under F.B.C.C.F. No.  
17 2003023371 and corrected under 2008070584, LESS AND EXCEPT Fort  
18 Bend Independent School District High School No. 10, a subdivision  
19 of 72.598 acres of land, according to the map or plat thereof  
20 recorded in Plat Record 20040219 of the F.B.C.P.R. Said 883.195  
21 acres of land being more particularly described by metes and bounds  
22 as follows (Bearings are referenced to the aforementioned 723.13  
23 acres):  
24 BEGINNING at the Northwest corner of said 274.505 acres on the South  
25 right-of-way line of Grand Parkway (width varies);  
26 THENCE, with the said South right-of-way line and North line of said  
27 274.05 acres, the following three (3) courses:

1           1.   South 83 degrees 50 minutes 18 seconds East, a distance  
2 of 1,730.90 feet;

3           2.   South 76 degrees 27 minutes 32 seconds East, a distance  
4 of 659.36 feet;

5           3.   1,275.27 feet, with the arc of a non-tangent curve to the  
6 right having a radius of 2,664.79 feet and a central angle of 27  
7 degrees 25 minutes 11 seconds, the chord of which curve bears South  
8 60 degrees 46 minutes 14 seconds East, a distance of 1,263.14 feet  
9 to the West line of a call 32.7 acre tract of land (Harlem Road,  
10 based on a width of 60 feet), recorded in the name of County of Fort  
11 Bend, Texas, in Volume 63, Page 203, of the Deed Records of Fort  
12 Bend County, Texas (F.B.C.D.R.);

13 THENCE, with said West line, South 00 degrees 00 minutes 38 seconds  
14 West, a distance of 730.72 feet to the most Easterly Northeast  
15 corner of said Fort Bend Independent School District High School  
16 No. 10;

17 THENCE, with the North and West lines of said Fort Bend Independent  
18 School District High School No. 10, the following six (6) courses:

19           1.   603.53 feet, with the arc of a non-tangent curve to the  
20 left having a radius of 515.00 feet and a central angle of 67  
21 degrees 08 minutes 42 seconds, the chord of which curve bears North  
22 33 degrees 33 minutes 43 seconds West, a distance of 569.58 feet;

23           2.   North 67 degrees 08 minutes 04 seconds West, a distance  
24 of 117.87 feet;

25           3.   South 67 degrees 51 minutes 56 seconds West, a distance  
26 of 35.36 feet;

27           4.   South 22 degrees 51 minutes 56 seconds West, a distance

1 of 1,473.77 feet;

2 5. 874.48 feet, with the arc of tangent curve to the left  
3 having a radius of 3,125.00 feet and a central angle of 16 degrees  
4 02 minutes 00 seconds, the chord of which curve bears South 14  
5 degrees 50 minutes 56 seconds West, a distance of 871.63 feet to a  
6 point for tangency;

7 6. South 06 degrees 49 minutes 56 seconds West, a distance  
8 of 950.82 feet to the Southwest corner of said Fort Bend Independent  
9 School District High School No. 10, same being the North line of  
10 said 723.13 acres;

11 THENCE, with the said North line, North 89 degrees 33 minutes 29  
12 seconds East, a distance of 1,364.95 feet to the Southeast corner of  
13 said Fort Bend Independent School District High School No. 10 and  
14 the Northeast corner of said 723.13 acres, and said point being at  
15 the West line of said 32.7 acres (Harlem Road, based on a width of 60  
16 feet);

17 THENCE, with said West line, South 00 degrees 00 minutes 38 seconds  
18 West, a distance of 2,414.30 feet;

19 THENCE, departing said West line and with a residual tract of that  
20 certain call 5,656.65 acres recorded in the name of Harlem State  
21 Farm in Volume 152, Page 423, F.B.C.D.R., the following nine (9)  
22 courses:

23 1. South 48 degrees 44 minutes 07 seconds West, a distance  
24 of 871.11 feet;

25 2. North 83 degrees 16 minutes 57 seconds West, a distance  
26 of 2,068.09 feet;

27 3. South 08 degrees 26 minutes 06 seconds West, a distance



1 of 1,378.80 feet;  
2 4. South 88 degrees 03 minutes 39 seconds East, a distance  
3 of 941.67 feet;  
4 5. South 00 degrees 52 minutes 35 seconds East, a distance  
5 of 1,653.74 feet;  
6 6. South 88 degrees 40 minutes 44 seconds East, a distance  
7 of 567.92 feet;  
8 7. South 04 degrees 39 minutes 19 seconds West, a distance  
9 of 773.80 feet;  
10 8. South 86 degrees 41 minutes 04 seconds East, a distance  
11 of 743.55 feet;  
12 9. North 85 degrees 13 minutes 22 seconds East, a distance  
13 of 698.90 feet to the West line of said 32.7 acres (Harlem Road,  
14 based on a width of 60 feet);  
15 THENCE, with said West line, South 00 degrees 00 minutes 38 seconds  
16 West, a distance of 919.35 feet to the Northeast corner of said Fort  
17 Bend I.S.D. Middle School No. 14;  
18 THENCE, departing said West line and with the North line of said  
19 Fort Bend I.S.D. Middle School No. 14, South 89 degrees 41 minutes  
20 08 seconds West, a distance of 2,244.78 feet to the Northwest corner  
21 of said Fort Bend I.S.D. Middle School No. 14;  
22 THENCE, with the meandering West line of said Fort Bend I.S.D.  
23 Middle School No. 14, the following twelve (12) courses:  
24 1. South 46 degrees 22 minutes 05 seconds East, a distance  
25 of 228.92 feet;  
26 2. South 43 degrees 22 minutes 43 seconds East, a distance  
27 of 88.42 feet;

1           3.   South 40 degrees 33 minutes 56 seconds East, a distance  
2 of 79.87 feet;  
3           4.   South 40 degrees 44 minutes 21 seconds East, a distance  
4 of 105.05 feet;  
5           5.   South 42 degrees 39 minutes 34 seconds East, a distance  
6 of 49.64 feet;  
7           6.   South 26 degrees 31 minutes 55 seconds East, a distance  
8 of 54.38 feet;  
9           7.   South 17 degrees 07 minutes 29 seconds East, a distance  
10 of 79.10 feet;  
11          8.   South 36 degrees 53 minutes 58 seconds East, a distance  
12 of 120.77 feet;  
13          9.   South 37 degrees 41 minutes 44 seconds East, a distance  
14 of 99.95 feet;  
15          10.   South 38 degrees 43 minutes 14 seconds East, a distance  
16 of 114.55 feet;  
17          11.   South 36 degrees 00 minutes 18 seconds East, a distance  
18 of 89.56 feet;  
19          12.   South 32 degrees 17 minutes 53 seconds East, a distance  
20 of 81.98 feet to the North right-of-way line of Plantation Drive  
21 (based on a width of 60 feet) as recorded in Volume 1848, Page 795,  
22 F.B.C.P.R., same being the South line of said 723.13 acres;  
23 THENCE, with said North right-of-way line and said South line,  
24 South 89 degrees 41 minutes 08 seconds West, a distance of 344.96  
25 feet to the East line of Replat of Pecan Grove Plantation, Section  
26 Five (5), according to the map or plat thereof recorded in Slide  
27 685A and 685B, F.B.C.P.R.;

1 THENCE, with the said East line, North 00 degrees 04 minutes 33  
2 seconds West, a distance of 180.02 feet to the Northeast corner of  
3 said Section 5;  
4 THENCE, with the North line of said Section 5, South 89 degrees 39  
5 minutes 00 seconds West, a distance of 1,695.40 feet to the most  
6 Easterly Southeast corner of Pecan Grove Plantation, Section Eight  
7 (8), according to the map or plat thereof recorded in Slide 643A and  
8 643B, F.B.C.P.R.;  
9 THENCE, with the East line of said Section 8 and Pecan Grove  
10 Plantation, Section Sixteen (16), according to the map or plat  
11 thereof recorded in Slide 1096B, F.B.C.P.R., and Pecan Grove  
12 Plantation, Section Twenty-Two (22), according to the map or plat  
13 thereof recorded in Slide 1247B, F.B.C.P.R., North 00 degrees 06  
14 minutes 21 seconds East, a distance of 2,983.38 feet to the  
15 Northeast corner of said Section 22;  
16 THENCE, with the North line of said Section 22 and Pecan Grove  
17 Plantation, Section Twelve (12), according to the map or plat  
18 thereof recorded in Slide 1051A and 1051B, F.B.C.P.R., North 89  
19 degrees 56 minutes 14 seconds West, a distance of 2,668.98 feet to  
20 the Northwest corner of said Section 12, same being a point at the  
21 East line of Pecan Grove Plantation, Section Nineteen (19),  
22 according to the map or plat thereof recorded in Slide 1052A and  
23 1052B, F.B.C.P.R.;  
24 THENCE, with the East line of said Section 19 and Grove, Section  
25 Eleven (11), according to the map or plat thereof recorded in Slide  
26 1015A and 1015B, and Grove, Section Six (6), according to the map or  
27 plat thereof recorded in Slide 631A and 631B, and Grove, Section

1 Seven (7), according to the map or plat thereof recorded in Slide  
2 632A and 632B, and Grove, Section Eight (8), according to the map or  
3 plat thereof recorded in Slide 832A and 832B, North 00 degrees 05  
4 minutes 34 seconds East, a distance of 2,944.38 feet;

5 THENCE, with the South line of said Grove, Section 8, South 89  
6 degrees 44 minutes 14 seconds East, passing the Southeast corner of  
7 said Grove, Section 8, and continuing for a total distance of  
8 2,690.34 feet;

9 THENCE, with the West line of said 723.13 acres, North 00 degrees 31  
10 minutes 29 seconds East, a distance of 3,562.67 feet to the  
11 Northwest corner of said 723.13 acres;

12 THENCE, with said North line, North 89 degrees 01 minutes 49 seconds  
13 East, a distance of 12.19 feet to the Southwest corner of said  
14 274.505 acres;

15 THENCE, with the West line of said 274.505 acres, the following  
16 three (3) courses:

17 1. North 00 degrees 13 minutes 57 seconds East, a distance  
18 of 1,303.83 feet;

19 2. North 00 degrees 18 minutes 44 seconds East, a distance  
20 of 1,320.37 feet;

21 3. North 00 degrees 31 minutes 23 seconds East, a distance  
22 of 468.68 feet to the POINT OF BEGINNING and containing 883.195  
23 acres of land, more or less.

24 SECTION 3. (a) The legal notice of the intention to  
25 introduce this Act, setting forth the general substance of this  
26 Act, has been published as provided by law, and the notice and a  
27 copy of this Act have been furnished to all persons, agencies,

1 officials, or entities to which they are required to be furnished  
2 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
3 Government Code.

4 (b) The governor, one of the required recipients, has  
5 submitted the notice and Act to the Texas Commission on  
6 Environmental Quality.

7 (c) The Texas Commission on Environmental Quality has filed  
8 its recommendations relating to this Act with the governor, the  
9 lieutenant governor, and the speaker of the house of  
10 representatives within the required time.

11 (d) All requirements of the constitution and laws of this  
12 state and the rules and procedures of the legislature with respect  
13 to the notice, introduction, and passage of this Act are fulfilled  
14 and accomplished.

15 SECTION 4. (a) Section 3927.107, Special District Local  
16 Laws Code, as added by Section 1 of this Act, takes effect only if  
17 this Act receives a two-thirds vote of all the members elected to  
18 each house.

19 (b) If this Act does not receive a two-thirds vote of all the  
20 members elected to each house, Subchapter C, Chapter 3927, Special  
21 District Local Laws Code, as added by Section 1 of this Act, is  
22 amended by adding Section 3927.107 to read as follows:

23 Sec. 3927.107. NO EMINENT DOMAIN POWER. The district may  
24 not exercise the power of eminent domain.

25 (c) This section is not intended to be an expression of a  
26 legislative interpretation of the requirements of Subsection (c),  
27 Section 17, Article I, Texas Constitution.

1           SECTION 5. This Act takes effect immediately if it receives  
2 a vote of two-thirds of all the members elected to each house, as  
3 provided by Section 39, Article III, Texas Constitution. If this  
4 Act does not receive the vote necessary for immediate effect, this  
5 Act takes effect September 1, 2013.